MONTANA ADMINISTRATIVE REGISTER

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The Montana Administrative Register (MAR or Register), a twice-monthly publication, has three sections. The Proposal Notice Section contains state agencies' proposed new, amended, or repealed rules; the rationale for the change; date and address of public hearing; and where written comments may be submitted. The Rule Adoption Section contains final rule notices which show any changes made since the proposal stage. All rule actions are effective the day after publication of the adoption notice unless otherwise specified in the final notice. The Interpretation Section contains the Attorney General's opinions and state declaratory rulings. Special notices and tables are found at the end of each Register.

Inquiries regarding the rulemaking process, including material found in the Montana Administrative Register and the Administrative Rules of Montana, may be made by calling the Secretary of State's Office, Administrative Rules Services, at (406) 438-6122.

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BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES
OF THE STATE OF MONTANA

In the matter of the amendment of ARM 37.85.104 and 37.85.105 pertaining to updating Medicaid and non-Medicaid provider rates, fee schedules, and effective dates	)))))	NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT

TO: All Concerned Persons

1. On December 8, 2022, at 9:00 a.m., the Department of Public Health and Human Services will hold a public hearing via remote conferencing to consider the proposed amendment of the above-stated rules. Interested parties may access the remote conferencing platform in the following ways:

(a) Join Zoom Meeting at: https://mt-gov.zoom.us/j/87560537857?pwd=OFBwc0dOc2Rxc25kN3NYOWx3VXQ3dz09, meeting ID: 875 6053 7857, and password: 759449; or

(b) Dial by telephone: +1 646 558 8656, meeting ID: 875 6053 7857, and password: 759449. Find your local number: https://mt-gov.zoom.us/u/kdxPzDPJOC.

2. The Department of Public Health and Human Services will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Public Health and Human Services no later than 5:00 p.m. on November 23, 2022, to advise us of the nature of the accommodation that you need. Please contact Kassie Thompson, Department of Public Health and Human Services, Office of Legal Affairs, P.O. Box 4210, Helena, Montana, 59604-4210; telephone (406) 444-4094; fax (406) 444-9744; or e-mail hhsadminrules@mt.gov.

3. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

37.85.104 EFFECTIVE DATES OF PROVIDER FEE SCHEDULES FOR MONTANA NON-MEDICAID SERVICES (1) remains the same.

(a) Mental health crisis services, as provided in ARM 37.88.101, is effective ~~October 1, 2022~~ January 1, 2023.

(b) and (c) remain the same.

(d) Substance use disorder services provider reimbursement, as provided in ARM 37.27.905, is effective ~~October 1, 2022~~ January 1, 2023.

(2) remains the same.

AUTH: 53-2-201, 53-6-101, 53-6-113, MCA
IMP: 53-2-201, 53-6-101, 53-6-111, MCA

37.85.105 EFFECTIVE DATES, CONVERSION FACTORS, POLICY ADJUSTERS, AND COST-TO-CHARGE RATIOS OF MONTANA MEDICAID PROVIDER FEE SCHEDULES (1) The Montana Medicaid Program establishes provider reimbursement rates for medically necessary, covered services based on the estimated demand for services and the legislative appropriation and federal matching funds. Provider reimbursement rates are stated in fee schedules for covered services applicable to the identified Medicaid program. New rates are established by revising the identified program's fee schedule and adopting the new fees as of the stated effective date of the schedule. Copies of the department's current fee schedules are posted at http://medicaidprovider.mt.gov and may be obtained from the Department of Public Health and Human Services, Health Resources Division, 1401 East Lockey, P.O. Box 202951, Helena, MT 59620-2951. A description of the method for setting the reimbursement rate and the administrative rules applicable to the covered service are published in the chapter or subchapter of this title regarding that service. The department will make periodic updates, as necessary, to the fee schedules noted in this rule to include new procedure codes and applicable rates and to ~~removal of~~ remove terminated procedure codes.

(2) remains the same.

(a) Resource-based relative value scale (RBRVS) means the version of the Medicare resource-based relative value scale contained in the Medicare Physician Fee Schedule adopted by the Centers for Medicare & Medicaid Services (CMS) of the U.S. Department of Health and Human Services and published at 86 Federal Register ~~Volume 86, Issue 221, page~~ 64996 (~~November~~ Nov. 19, 2021) effective January 1, 2022, which is adopted and incorporated by reference. Procedure codes created after ~~January 1, 2022~~ January 1, 2023, will be reimbursed using the relative value units from the Medicare Physician Fee Schedule in place at the time the procedure code is created.

(b) Fee schedules are effective ~~July 1, 2022~~ January 1, 2023. The conversion factor for physician services is $42.29. The conversion factor for allied services is $25.34. The conversion factor for mental health services is $21.69. The conversion factor for anesthesia services is $30.57.

(c) through (i) remain the same.

(j) Reimbursement for physician-administered drugs described in ARM 37.86.105 is determined pursuant to ~~in 42 CFR 414.904 (2016)~~ 42 U.S.C. 1395w-3a. ~~The department adopts 106% of the Average Sale Price (ASP), effective July 1, 2019.~~

(k) through (3)(b) remain the same.

(i) the Outpatient Prospective Payment System (OPPS) fee schedule as published by the CMS in 86 Federal Register ~~Volume 86, Issue 218, page~~ 63458 (~~November~~ Nov. 16, 2021), effective January 1, 2022, and reviewed annually by CMS, as required in 42 CFR 419.5 (2016) and as updated by the department;

(ii) through (iv) remain the same.

(c) The hearing aid services fee schedule, as provided in ARM 37.86.805, is effective ~~July 1, 2022~~ January 1, 2023.

(d) The Relative Values for Dentists, as provided in ARM 37.86.1004, reference published in 2022 resulting in a dental conversion factor of $35.48 and fee schedule is effective ~~July 1, 2022~~ January 1, 2023.

(e) through (j) remain the same.

(k) Montana Medicaid adopts and incorporates by reference the Region D Supplier Manual, effective ~~July 1, 2022~~ January 1, 2023, which outlines the Medicare coverage criteria for Medicare covered durable medical equipment, local coverage determinations (LCDs), and national coverage determinations (NCDs), as provided in ARM 37.86.1802, effective ~~July 1, 2022~~ January 1, 2023. The prosthetic devices, durable medical equipment, and medical supplies fee schedule, as provided in ARM 37.86.1807, is effective ~~July 1, 2022~~ January 1, 2023.

(l) through (p) remain the same.

(q) The ambulance services fee schedule, as provided in ARM 37.86.2605, is effective ~~July 1, 2022~~ January 1, 2023.

(r) The audiology fee schedule, as provided in ARM 37.86.705, is effective ~~July 1, 2022~~ January 1, 2023.

(s) The therapy fee schedules for occupational therapists, physical therapists, and speech therapists, as provided in ARM 37.86.610, are effective ~~July 1, 2022~~ January 1, 2023.

(t) The optometric services fee schedule, as provided in ARM 37.86.2005, is effective ~~July 1, 2022~~ January 1, 2023.

(u) remains the same.

(v) The lab and imaging services fee schedule, as provided in ARM 37.85.212(2) and 37.86.3007, is effective ~~July 1, 2022~~ January 1, 2023.

(w) and (x) remain the same.

(y) The mobile imaging services fee schedule, as provided in ARM 37.85.212, is effective ~~July 1, 2022~~ January 1, 2023.

(z) The licensed direct-entry midwife fee schedule, as provided in ARM 37.85.212, is effective ~~July 1, 2022~~ January 1, 2023.

(aa) through (5) remain the same.

(a) The mental health center services for adults fee schedule, as provided in ARM 37.88.907, is effective ~~October 1, 2022~~ January 1, 2023.

(b) remains the same.

(c) The substance use disorder services fee schedule, as provided in ARM 37.27.905, is effective ~~October 1, 2022~~ January 1, 2023.

(6) For the Behavioral Health and Developmental Disabilities Division, the department adopts and incorporates by reference the Medicaid youth mental health services fee schedule, as provided in ARM 37.87.901, effective ~~July 1, 2022~~ January 1, 2023.

AUTH: 53-2-201, 53-6-113, MCA
IMP: 53-2-201, 53-6-101, 53-6-125, 53-6-402, MCA

4. STATEMENT OF REASONABLE NECESSITY

The Department of Public Health and Human Services (department) is proposing to amend ARM 37.85.104 and ARM 37.85.105, pertaining to updating the effective dates of Medicaid fee schedules.

The department administers the Montana Medicaid and non-Medicaid program to provide health care to Montana's qualified low-income, elderly, and disabled residents. Medicaid is a public assistance program paid for with state and federal funds appropriated to pay health care providers for the covered medical services they deliver to Medicaid members.

The proposed rule amendments are necessary so that the Montana Medicaid Program can adopt updated Medicare procedure codes that the federal Centers for Medicare & Medicaid Services (CMS) will adopt in January 2023. Montana Medicaid uses Medicare procedure codes. To ensure providers can accurately and timely bill for services they provide to Medicaid members, the department must adopt CMS's updated Medicare rates. Final Medicaid fee schedules are posted after CMS publishes its final fee schedules. The updated codes include new code additions, code deletions, and changes to existing code descriptions and rates.

Additionally, the proposed amendments represent the state's commitment to further expand coverage and promote access to crisis services for eligible Montanans by adding mobile crisis services for both the Medicaid and non-Medicaid programs.

The proposed amendments are explained below, regarding the specific subsection of ARM 37.85.104.

(1)(a)(d) Mental health crisis services and substance use disorder services, fee schedules

As part of the department's Healing and Ending Addiction Through Recovery and Treatment (HEART) Initiative, the Behavioral Health and Developmental Disabilities Division (BHDD) proposes to update the mental health crisis services fee schedule and substance use disorder services fee schedule, effective January 1, 2023, to reflect the addition of procedure codes for mobile crisis team services. The HEART Initiative represents the state's commitment to expanding coverage and promoting access to prevention, crisis intervention, treatment, and recovery services for eligible Montanans with mental health issues.

The proposed amendments are explained below, regarding the specific subsections of ARM 37.85.105.

(2)(a) and (b) Resource-Based Relative Value Scale (RBRVS)

The department proposes to reimburse procedure codes created on or after January 1, 2023, using the relative value units currently in place, and then revise the fee schedule effective date to January 1, 2023, which is being revised to reflect the updated Medicare procedure codes adopted by the federal Medicare program.

(2)(j)

The department proposes to revise the reimbursement language for ASP pricing. Effective October 1, 2022, the Inflation Reduction Act changed the ASP pricing for select biosimilars from 106% to 108%.

(3)(c), (q), (r), (s), (t), (v), (y), and (z) Fee Schedules
The department proposes to revise the effective date for the following fee schedules to January 1, 2023, to reflect the updated Medicare procedure codes adopted by CMS: hearing aid services, ambulance services, audiology, occupational therapists, physical therapists, and speech therapists, optometric services, lab and imaging services, and licensed direct-entry midwives fee schedules.

(3)(d) Dentist fee schedule
The department proposes to update the Dentist Fee schedule, effective January 1, 2023, to reflect changes to the Current Dental Terminology (CDT) 2023 by removing applicable deleted covered codes and including their updated replacements.

(3)(k) Prosthetic Devices, Durable Medical Equipment, and Medical Supplies
The department proposes to revise the effective date of the reference to the Region D Supplier Manual to January 1, 2023, and revise the effective date of local coverage determinations (LCDs) and national coverage determinations (NCDs), that are provided in ARM 37.86.1802, to January 1, 2023.

The department is also proposing to revise the effective dates for the durable medical equipment fee schedule to January 1, 2023, to reflect the Calendar Year 2023 Medicare Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) fee schedule. This will allow the department to update Medicare fees, additions, deletions, or changes to procedure codes when Medicare releases and updates their fee schedule

(5)(a)(c) Mental health center services for adults and substance use disorder services, fee schedules
As part of the department's HEART Initiative, BHDD proposes to update the mental health center services for adults with severe disabling mental illness fee schedule and the substance use disorder services fee schedule, effective January 1, 2023, to reflect the addition of procedure codes for mobile crisis team services. The HEART Initiative represents the state's commitment to expanding coverage and promoting access to prevention, crisis intervention, treatment, and recovery services for eligible Montanans with mental health issues.

(6) Youth mental health services, fee schedule
As part of the department's HEART Initiative, BHDD proposes to update the youth mental health services fee schedule, effective January 1, 2023, to reflect the addition of procedure codes for mobile crisis team services. Mobile crisis services are intended for members of all ages experiencing a behavioral health crisis. The HEART Initiative represents the state's commitment to expanding coverage and promoting access to prevention, crisis intervention, treatment, and recovery services for eligible Montanans with mental health issues.

Fiscal Impact

This proposed rule amendment to ARM 37.85.105 has estimate costs listed in the table below for the changes related to mobile crisis services.

SFY2023	
State Share	$637,576
Federal Share	$2,196,094
Total	$2,833,670

This proposed rule amendment to ARM 37.85.105 has estimate costs listed in the table below for the changes related to ASP pricing.

SFY2023	
State Share	$5,118
Federal Share	$29,393
Total	$34,511

These proposed rule amendments are expected to be budget neutral for all other services.

5. The department intends to apply these proposed rule amendments retroactively to January 1, 2023. A retroactive application of the proposed rule amendments does not result in a negative impact to any affected party.

6. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Kassie Thompson, Department of Public Health and Human Services, Office of Legal Affairs, P.O. Box 4210, Helena, Montana, 59604-4210; fax (406) 444-9744; or e-mail hhsadminrules@mt.gov, and must be received no later than 5:00 p.m., December 16, 2022.

7. The Office of Legal Affairs, Department of Public Health and Human Services, has been designated to preside over and conduct this hearing.

8. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 6 above or may be made by completing a request form at any rules hearing held by the department.

9. An electronic copy of this notice is available on the department's web site at https://dphhs.mt.gov/LegalResources/administrativerules, or through the Secretary of State's web site at http://sosmt.gov/ARM/register.

10. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

11. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

12. Section 53-6-196, MCA, requires that the department, when adopting by rule proposed changes in the delivery of services funded with Medicaid monies, make a determination of whether the principal reasons and rationale for the rule can be assessed by performance-based measures and, if the requirement is applicable, the method of such measurement. The statute provides that the requirement is not applicable if the rule is for the implementation of rate increases or of federal law.

The department has determined that the proposed program changes presented in this notice are not appropriate for performance-based measurement and therefore are not subject to the performance-based measures requirement of 53-6-196, MCA.

/s/ BRENDA K. ELIAS
Brenda K. Elias
Rule Reviewer

/s/ CHARLES T. BRERETON
Charles T. Brereton, Director
Department of Public Health and Human Services

Certified to the Secretary of State November 9, 2022.

NOTICE OF FUNCTION OF ADMINISTRATIVE RULE REVIEW COMMITTEES

Interim Committees and the Environmental Quality Council

Administrative rule review is a function of interim committees and the Environmental Quality Council (EQC). These interim committees and the EQC have administrative rule review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes.

Economic Affairs Interim Committee

- Department of Agriculture
- Department of Commerce
- Department of Labor and Industry
- Department of Livestock
- Office of the State Auditor (Commissioner of Securities and Insurance)
- Office of Economic Development
- Division of Banking and Financial Institutions
- Alcoholic Beverage Control Division
- Cannabis Control Division

Education Interim Committee

- State Board of Education
- Board of Public Education
- Board of Regents of Higher Education
- Office of Public Instruction
- Montana Historical Society
- Montana State Library

Children, Families, Health, and Human Services Interim Committee

- Department of Public Health and Human Services

Law and Justice Interim Committee

- Department of Corrections
- Department of Justice

Energy and Telecommunications Interim Committee

- Department of Public Service Regulation.

Revenue Interim Committee

- Department of Revenue
- Montana Tax Appeal Board

State Administration and Veterans' Affairs Interim Committee

- Department of Administration
- Montana Public Employee Retirement Administration
- Board of Investments
- Department of Military Affairs
- Office of the Secretary of State
- Office of the Commissioner of Political Practices

Transportation Interim Committee

- Department of Transportation
- Motor Vehicle Division (Department of Justice)

Environmental Quality Council

- Department of Environmental Quality
- Department of Fish, Wildlife and Parks
- Department of Natural Resources and Conservation

Water Policy Interim Committee (where the primary concern is the quality or quantity of water)

- Department of Environmental Quality
- Department of Fish, Wildlife and Parks
- Department of Natural Resources and Conservation

These interim committees and the EQC have the authority to make recommendations to an agency regarding the adoption, amendment, or repeal of a rule or to request that the agency prepare a statement of the estimated economic impact of a proposal. They also may poll the members of the Legislature to determine if a proposed rule is consistent with the intent of the Legislature or, during a legislative session, introduce a bill repealing a rule, or directing an agency to adopt or amend a rule, or a Joint Resolution recommending that an agency adopt, amend, or repeal a rule.

The interim committees and the EQC welcome comments and invite members of the public to appear before them or to send written statements in order to bring to their attention any difficulties with the existing or proposed rules. The mailing address is P.O. Box 201706, Helena, MT 59620-1706.

HOW TO USE THE ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA ADMINISTRATIVE REGISTER

Definitions:

Administrative Rules of Montana (ARM) is a looseleaf compilation by department of all rules of state departments and attached boards presently in effect, except rules adopted up to three months previously.

Montana Administrative Register (MAR or Register) is an online publication, issued twice-monthly, containing notices of rules proposed by agencies, notices of rules adopted by agencies, and interpretations of statutes and rules by the Attorney General (Attorney General's Opinions) and agencies (Declaratory Rulings) issued since publication of the preceding Register.

Use of the Administrative Rules of Montana (ARM):

Known Subject

1. Consult ARM Topical Index.
   Update the rule by checking recent rulemaking and the table of contents in the last Montana Administrative Register issued.

Statute

2. Go to cross reference table at end of each number and title which lists MCA section numbers and department corresponding ARM rule numbers.

RECENT RULEMAKING BY AGENCY

The Administrative Rules of Montana (ARM) is a compilation of existing permanent rules of those executive agencies that have been designated by the Montana Administrative Procedure Act for inclusion in the ARM. The ARM is updated through June 30, 2022. This table includes notices in which those rules adopted during the period May 27, 2022, through November 4, 2022, occurred and any proposed rule action that was pending during the past 6-month period. (A notice of adoption must be published within six months of the published notice of the proposed rule.) This table does not include the contents of this issue of the Montana Administrative Register (MAR or Register).

To be current on proposed and adopted rulemaking, it is necessary to check the ARM updated through June 30, 2022, this table, and the table of contents of this issue of the Register.

This table indicates the department name, title number, notice numbers in ascending order, the subject matter of the notice, and the page number(s) at which the notice is published in the 2022 Montana Administrative Register.

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EXECUTIVE BRANCH APPOINTEES AND VACANCIES

Section 2-15-108, MCA, passed by the 1991 Legislature, directed that all appointing authorities of all appointive boards, commissions, committees, and councils of state government take positive action to attain gender balance and proportional representation of minority residents to the greatest extent possible.

One directive of 2-15-108, MCA, is that the Secretary of State publish monthly in the ***Montana Administrative Register*** a list of executive branch appointees and upcoming vacancies on those boards and councils.

In this issue, appointments effective in October 2022 appear. Potential vacancies from December 1, 2022 through December 31, 2022, are also listed.

IMPORTANT

Membership on boards and commissions changes constantly. The following lists are current as of November 1, 2022.

For the most up-to-date information of the status of membership, or for more detailed information on the qualifications and requirements to serve on a board, contact the appointing authority.

EXECUTIVE BRANCH APPOINTEES FOR OCTOBER 2022

Appointee	Appointed By	Succeeds	Appointment/End Date
Mental Disabilities Board of Visitors			
Mr. Tyson Schumacher	Governor	Dan Laughlin	10/17/2022 7/1/2024
Qualifications (if required): Experience with treatment of children with serious emotional disturbances			
Ms. Paulette Lassiter Glendive	Governor	Deborah Horton	10/17/2022 7/1/2024
Qualifications (if required): Professional in treatment of adults with serious mental illness			

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
Board of Environmental Review		
Ms. Julia Altemus, Missoula	Governor	12/31/2022
Qualifications (if required): Public member		
Board of Occupational Therapy Practice		
Mrs. Deborah Swingley, Helena	Governor	12/31/2022
Qualifications (if required): Member of the general public		
Ms. Twylla Kirchen, Shepherd	Governor	12/31/2022
Qualifications (if required): Occupational Therapist		
Board of Speech-Language Pathologists and Audiologists		
Mrs. Rachel Stansberry, Lewistown	Governor	12/31/2022
Qualifications (if required): Speech-Language Pathologist		
Mrs. Diane Lynette Simpson, Fort Shaw	Governor	12/31/2022
Qualifications (if required): Speech-Language Pathologist		
District Court Judge in the Fourth Judicial District		
Mr. Jason Troy Marks, Missoula	Governor	12/31/2022
Qualifications (if required): None Stated		
Eastern Montana Elder Justice Council		
Mr. Wyatt Arthur Glade, Miles City	Governor	12/31/2022
Qualifications (if required): County attorney		

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
Eastern Montana Elder Justice Council Cont.		
Mr. Michael Hagenlock, Helena	Governor	12/31/2022
Qualifications (if required): Designee of Department of Public Health and Human Services, Ex Officio		
Ms. Denise Armstrong, Billings	Governor	12/31/2022
Qualifications (if required): Senior advocacy		
Ms. Marcy Brookie, Roundup	Governor	12/31/2022
Qualifications (if required): Senior advocacy		
Mr. Neil Brunett, Helena	Governor	12/31/2022
Qualifications (if required): Designee of the Commissioner of Securities and Insurance, Ex Officio		
Mr. Todd Buchanan, Billings	Governor	12/31/2022
Qualifications (if required): Licensed certified financial planner		
Ms. Renee' Buhmann, Miles City	Governor	12/31/2022
Qualifications (if required): Private financial institution		
Mr. Gary Connelley, Billings	Governor	12/31/2022
Qualifications (if required): Licensed private attorney		
Sheriff Allen Fulton, Forsyth	Governor	12/31/2022
Qualifications (if required): Law enforcement/investigator		
Ms. Margaret Gallagher, Billings	Governor	12/31/2022
Qualifications (if required): County attorney		

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
Eastern Montana Elder Justice Council Cont.		
Mr. Brett Lapham, Billings	Governor	12/31/2022
Qualifications (if required): Law enforcement/investigator		
Mr. Mike Larson, Billings	Governor	12/31/2022
Qualifications (if required): Senior advocate and Co Chair		
Mr. Chris McConnell, Helena	Governor	12/31/2022
Qualifications (if required): Director or Designee of the Department of Justice, Ex Officio		
Mr. Chuck Munson, Helena	Governor	12/31/2022
Qualifications (if required): Designee of Department of Justice, Ex Officio, Co Chair		
Ms. Tammy Peltomaa, Helena	Governor	12/31/2022
Qualifications (if required): Designee of the Director of the Department of Administration, Ex Officio		
Mr. Al Ward, Helena	Governor	12/31/2022
Qualifications (if required): Senior advocacy		
Ms. Karla Painter, Billings	Governor	12/31/2022
Qualifications (if required): Law enforcement/Investigator		
Montana Alfalfa Seed Committee		
Mr. Thomas Matchett, Billings	Governor	12/1/2022
Qualifications (if required): Actively engaged in growing alfalfa		

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
Montana Alfalfa Seed Committee Cont.		
Mr. Thomas M. Neibur, Malta	Governor	12/1/2022
Qualifications (if required): Actively engaged in the growing of alfalfa seed		
Montana Tax Appeal Board		
Mr. Travis Brown, Helena	Governor	12/31/2022
Qualifications (if required): Public Member		
Montana Unmanned Aerial Systems Council		
Mr. Butch Huseby, Helena	Governor	12/31/2022
Qualifications (if required): Dept. of Justice designee		
Mr. Michael Bousliman, Helena	Governor	12/31/2022
Qualifications (if required): Dept. of Transportation Designee		
Ms. Jennifer Fowler, Missoula	Governor	12/31/2022
Qualifications (if required): Representative of the Montana University System		
Mr. Kreh Germaine, Helena	Governor	12/31/2022
Qualifications (if required): DNRC Designee		
Mr. Weston Irr, Livingston	Governor	12/31/2022
Qualifications (if required): Private industry representative		
Mr. Dan Olson, Helena	Governor	12/31/2022
Qualifications (if required): Dept. of Livestock designee		

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
Montana Unmanned Aerial Systems Council Cont.		
Mr. James Strait, Helena	Governor	12/31/2022
Qualifications (if required): Dept. of Environmental Quality designee		
Mr. Paul Szczepaniak, Helena	Governor	12/31/2022
Qualifications (if required): Dept. of Corrections designee		
Mr. Dustin Temple, Helena	Governor	12/31/2022
Qualifications (if required): Fish, Wildlife and Parks designee		
Mr. R. Stephen White, Bozeman	Governor	12/31/2022
Qualifications (if required): Private industry representative		
Mr. Joseph Frohlich, Helena	Governor	12/31/2022
Qualifications (if required): State Information Technology Services Div. representative		
Mr. Kory Hofland, Helena	Governor	12/31/2022
Qualifications (if required): Dept. of Revenue designee		
Ms. Stacey Zyliak, Helena	Governor	12/31/2022
Qualifications (if required): none stated		
State Employee Group Benefits Advisory Council		
Representative Jim Keane, Butte	Governor	12/31/2022
Qualifications (if required): Legislature Representative		

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
State Employee Group Benefits Advisory Council Cont.		
Ms. Amy Sassano, Helena	Governor	12/31/2022
Qualifications (if required): Governor's Office Representative		
Ms. Kelly DaSilva, Helena	Governor	12/31/2022
Qualifications (if required): Legislative branch Representative		
Ms. Samantha Chase, Helena	Governor	12/31/2022
Qualifications (if required): ICCW Representative		
Mr. Jim Lewis, Helena	Governor	12/31/2022
Qualifications (if required): Retired State Employees' Representative		
Mr. Quint Nyman, Helena	Governor	12/31/2022
Qualifications (if required): MFPE		
Ms. Peggy MacEwen, Helena	Governor	12/31/2022
Qualifications (if required): Board of Investments Representative		
Ms. Michelle Wheat, Helena	Governor	12/31/2022
Qualifications (if required): MFPE		
Ms. Amy Jenks, Helena	Governor	12/31/2022
Qualifications (if required): HCBD		
Mr. James Fehr, Helena	Governor	12/31/2022
Qualifications (if required): DEQ Representative		

EXECUTIVE BRANCH VACANCIES – DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Board/Current Position Holder	Appointed By	Term End
State Employee Group Benefits Advisory Council Cont.		
Ms. Cheryl Grey, Helena	Governor	12/31/2022
Qualifications (if required): Dept of Admin Representative		
Ms. Natalie Smitham, Helena	Governor	12/31/2022
Qualifications (if required): Corrections Representative		
Ms. Ciarra Krantz, Helena	Governor	12/31/2022
Qualifications (if required): DPHHS Representative		
Ms. Mandy Rambo, Helena	Governor	12/31/2022
Qualifications (if required): Dept of Commerce Representative		
Statewide Independent Living Council		
Mr. Scott Lee Birkenbuel, Bozeman	Governor	12/1/2022
Qualifications (if required): person with disability and independent living center representative		
Mr. Carlos Alberto Ramalho, Billings	Governor	12/1/2022
Qualifications (if required): Person with a disability and Independent Living Center Representative		
Mr. David Wesley Hood, Butte	Governor	12/1/2022
Qualifications (if required): Member At-Large		

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